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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/770,390	02/04/2004	Catherine L. Gifford	63616.000002	2751

7590

03/18/2005

CATHERINE L. GIFFORD
1049 LUSH HILLSIDE COURT
HENDERSON, NV 89015

EXAMINER

DOAN, ROBYN KIEU

ART UNIT

PAPER NUMBER

3732

DATE MAILED: 03/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/770,390	Applicant(s) GIFFORD, CATHERINE L.	
	Examiner Robyn Doan	Art Unit 3732	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 4, 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Ramm et al (5826595).

With regard to claims 4 and 7, Ramm et al discloses a method of styling a person's hair with a glove (figs. 1-3) comprising the steps of wearing an absorbent glove (10) on a person's hand, using the glove to manipulate wet hair on the person's head (fig. 2), absorbing moisture from the wet hair into the glove while the glove is being used to manipulate the wet hair (col. 2, lines 5-10) and applying hot air (12) to the wet hair to dry while the glove is being used to manipulate the wet hair (col. 2, lines 11-17). In regard to claim 8, Ramm et al also discloses a step of manipulating the wet hair to produce curls in hair (col. 2, lines 30-32) and in regard to claim 9, Ramm et al further includes the step of closing the fist of the hand wearing the glove around the wet hair to curl the wet hair into curls (col. 2, lines 25-32).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramm et al in view of Skaryd et al (5082010).

With regard to claims 5 and 12-16, Ramm et al discloses a method of styling hair using a glove comprising all the claimed limitations in claims 1 and 7 as discussed above except for the steps of washing the hair on the person's head with shampoo and leaving the person's hair substantially in clumps before use of the glove and manipulating the wet hair to straighten the hair. Sharyd et al discloses a method of styling hair comprising the steps of washing the hair with shampoo before styling the hair (col. 2, lines 13-15) also it is noted that all hair after washed being in clumps. It would have been obvious to one having an ordinary skill in the art at the time the invention was made to employ the step of washing the hair with shampoo as taught by Skaryd et al into the method of styling hair of Ramm et al for the purpose of cleaning the hair and it would also have been an obvious matter of choice to manipulate the wet hair to straighten the hair, since such a modification is well known in the art.

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramm et al in view of Tsujino et al (6863883).

With regard to claims 10 and 11, Ramm et al discloses a discloses a method of styling hair using a glove comprising all the claimed limitations in claim 7 as discussed above except for the steps of applying a fixing agent to the hair to retain the curls and curving the wet hair around a finger of the glove to produce curl in the hair. Tsujino et al discloses a method for styling hair comprising the step of applying a fixing agent to the hair to retain the curls (col. 14, lines 60-62). It would have been obvious to one having an ordinary skill in the art at the time the invention was made to employ the step fo applying the fixing agent as taught by Tsujino et al into the method of styling hair of Ramm et al for the purpose of retaining the curls and it would also have been an obvious matter of choice to use to glove as taught by Ramm et al to curve the wet hair around the finger of the glove to produce curls in the hair since it is well known in the art to curve the hair around a finger of a user to produce curls in the hair.

Claims 6 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramm et al in view of Skaryd et al as applied to claims 5 and 14 above, and further in view of Tsujino et al.

With regard to claims 6 and 17-19, Ramm et al in view of Skaryd et al disclose a discloses a method of styling hair using a glove comprising all the claimed limitations in claims 5 and 14 as discussed above except for the steps of applying a fixing agent to the hair to retain the curls and curving the wet hair around a finger of the glove to produce curl in the hair. Tsujino et al discloses a method for styling hair comprising the step of applying a fixing agent to the hair to retain the curls (col. 14, lines 60-62). It

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would have been obvious to one having an ordinary skill in the art at the time the invention was made to employ the step of applying the fixing agent as taught by Tsujino et al into the method of styling hair of Ramm et al in view of Skaryd et al for the purpose of retaining the curls and it would also have been an obvious matter of choice to use to glove as taught by Ramm et al to curve the wet hair around the finger of the glove to produce curls in the hair since it is well known in the art to curve the hair around a finger of a user to produce curls in the hair.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramm et al in view of Kuwahara (4843652).

With regard to claim 1, Ramm et al discloses an absorbent glove (fig. 1, 10) comprising a forehand area, a backhand area, a plurality of fingers, at least a portion of the glove having an outer layer of absorbent material (col. 1, lines 57-58) and another layer of impermeable material (waterproof, col. 1, lines 60-63). Ramm et al does not disclose an inner layer of insulated material and the size of at least some of the plurality of fingers to be substantially shorter than the user's fingers, the size of the middle finger whose length is between $1\frac{3}{4}$ to $2\frac{3}{4}$ inches. Kuwahara discloses a towel glove (figs. 1-3) comprising an insulated material (foam, abstract). It would have been obvious to one having an ordinary skill in the art at the time the invention was made to employ the insulated layer as taught by Kuwahara into the glove of Ramm et al for the purpose of preventing moisture from the absorbent layer. It would have been obvious to one having an ordinary skill in the art at the time the invention was made to construct the size of at

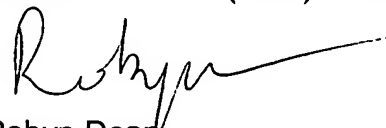
least some of the plurality of fingers to be substantially shorter than the user's fingers, the size of the middle finger whose length is between 1 $\frac{3}{4}$ to 2 $\frac{3}{4}$ inches, since such a modification would have involved a mere change in the size of the component.

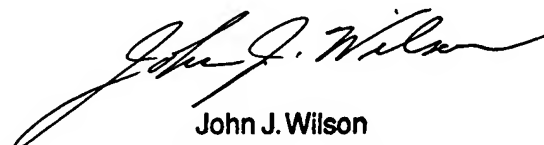
The drawings filed 02/04/04 have been approved by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robyn Doan whose telephone number is (571) 272-4711. The examiner can normally be reached on Mon-Fri 9:30-7:00; alternate Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on (703) 308-2582. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Robyn Doan
Examiner
March 9, 2005


John J. Wilson
Primary Examiner